

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JOSEPH ROBINSON, et al.

Plaintiffs,

v.

**MONTGOMERY COUNTY,
MARYLAND, et al.**

Defendants.

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Civil No. **PJM 07-150**

ORDER

Upon consideration of Defendants' Motion for Summary Judgment [Paper No. 42], and Plaintiffs' Opposition thereto, oral argument having been held thereon, it is for the reasons stated on the record, this 30th day of November, 2009

ORDERED

1. Defendants' Motion for Summary Judgment [Paper No. 42] is
GRANTED IN PART and **DENIED IN PART**;
2. Defendants' Motion is **GRANTED** as to Count Two of the Complaint
(Intentional Infliction of Emotional Distress);
3. As to Defendants Patil, Haak, and Cawood only, Defendants' Motion is
GRANTED as to all counts of the Complaint;
4. As to Defendants Mazzuca and Wells only, Defendants' Motion is
DENIED as to Counts One (1), Six (6), and Seven (7) of the Complaint;
and
5. The Court makes no ruling at this time as to Defendants Montgomery
County, Maryland and J. Thomas Manger, Chief of Police, Montgomery

County, Maryland. Liability of these Defendants, if any, shall be determined subsequently in a bifurcated proceeding, if either of the remaining individual defendants are found to be liable in this case.

/s/

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE